

**BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA**

**DOCKET NO. 2019-185-E  
DOCKET NO. 2019-186-E**

In the Matter of:

South Carolina Energy Freedom Act  
(H.3659) Proceeding to Establish Duke  
Energy Carolinas, LLC's and Duke Energy  
Progress, LLC's Standard Offer, Avoided  
Cost Methodologies, Form Contract Power  
Purchase Agreements, Commitment to Sell  
Forms, and Any Other Terms or Conditions  
Necessary (Includes Small Power Producers  
as Defined in 16 United States Code 796, as  
Amended) - S.C. Code Ann. Section 58-41-  
20(A)

**MOTION FOR ADMISSION  
PRO HAC VICE**

Duke Energy Carolinas, LLC and Duke Energy Progress, LLC by and through undersigned counsel, respectfully move the Public Service Commission of South Carolina (the "Commission") to permit E. Brett Breitschwerdt to practice *pro hac vice* before the Commission in the above-referenced matters. Pursuant to Rule 404 of the South Carolina Appellate Court Rules, Mr. Breitschwerdt has filed Verified Applications for Admission *Pro Hac Vice* with the South Carolina Supreme Court Office of Bar Admissions. A copy of his Applications, as filed with the Supreme Court, are attached.

Respectfully submitted this 19<sup>th</sup> day of August, 2019




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Rebecca Dulin  
Duke Energy Corporation  
1201 Main Street, Suite 1180  
Columbia, South Carolina 29205  
Telephone: 803.988.7130  
E-mail: [Rebecca.dulin@duke-energy.com](mailto:Rebecca.dulin@duke-energy.com)  
Attorney for Duke Energy Carolinas, LLC  
and Duke Energy Progress, LLC

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*  
IN THE STATE OF SOUTH CAROLINA**

<u>Duke Energy Progress, LLC</u>	<u>2019-186-E</u>	<u>Public Service Commission of South Carolina</u>
Plaintiff	Case No.	Tribunal
vs.		
	Mailing Address of Tribunal:	<u>101 Executive Center Drive</u>
		<u>Suite 100</u>
<u>Defendant</u>		<u>Columbia, South Carolina 29210</u>

Comes now Edward B. Breitschwerdt, applicant herein, and respectfully represents the following:

1. Applicant resides at:  
1531 Caswell Street  
 Street Address  
Raleigh                      Wake                      NC                      27608  
 City                              County                      State                      Zip Code  
919-755-6563  
 Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of)  
McGuire Woods, LLP, with offices at  
434 Fayetteville Street, Suite 2600  
 Street Address  
Raleigh                      Wake                      NC                      27601  
 City                              County                      State                      Zip Code  
919-755-6563                      828-279-8726                      919-755-6579                      bbreitschwerdt@mcguirewoods.com  
 Primary Telephone                      Cell Phone                      Fax Number                      Email Address

3. Applicant has been retained personally or as a member of the above-named law firm by  
Duke Energy Progress, LLC to provide legal representation in  
 connection with the above case now pending before the above-named tribunal of the State of South Carolina.

4. Since March of 2010, applicant has been, and presently is, a  
 member in good standing of the bar of the highest court of the District of Columbia or the State of  
North Carolina where applicant regularly practices law. Attached is a certificate of good  
 standing dated within the last 90 days from the bar of the highest court of the District of Columbia or the State  
 where applicant regularly practices law.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts  
 applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of  
 Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:	Date Admitted:

Court:	Date Admitted:

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

N/A

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court date):

Affirmed

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

Affirmed

8. Applicant never has had any certificate or privilege to appear and practice before any court or administrative body suspended or revoked, except as provided below (give particulars, e.g., date, court, administrative body, date of suspension and reinstatement):

Affirmed

9. Local counsel of record associated with applicant in this case is Rebecca Dulin  
of the Duke Energy Corporation (not a law firm) law firm, which has offices at:

1201 Main Street, Suite 1180

Street Address			
<u>Columbia</u>	<u>Richland</u>	<u>SC</u>	<u>29205</u>
City	County	State	Zip Code
			<u>rebecca.dulin@duke-</u>
<u>803-988-7130</u>	<u>803-240-0801</u>	<u>803-370-2339</u>	<u>energy.com</u>
Primary Telephone	Cell Phone	Fax Number	Email Address
<u>79934</u>			
South Carolina Bar Number			

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

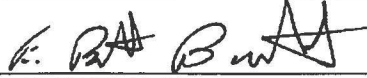
Joint Application of Duke Energy Carolinas, LLC, Duke Energy Progress, LLC and South Carolina Electric & Gas Company for Approval of the Revised South Carolina Interconnection Standard  
Case No.: 2015-362-E  
Status: Docket remains open, Final Order issued April 26, 2016  
Local Counsel: Charles A. Castle  
Application Granted

Proceeding for Approval of the Public Utility Regulatory Policies Act of 1978 (PURPA) Avoided Cost  
Rates for Electric Companies  
Case No.: 1995-1192-E  
Status: Proceeding remains open  
Local Counsel: Rebecca J. Dulin  
Application Granted

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above-named tribunal for this case only.

DATED this 15th day of August, 20 19



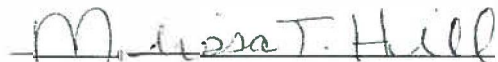
APPLICANT

**VERIFICATION**STATE OF North Carolina )COUNTY OF Wake )

I, Edward B. Breitschwerdt, do hereby swear or affirm under penalty of perjury that I am the applicant in the above-styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true. I understand that I am under a continuing duty to promptly update the information provided in the application until the tribunal has ruled on the motion for admission pro hac vice. Further, if the motion is granted, I understand that I am under a continuing duty to promptly update the information provided in the application as long as I continue to appear pro hac vice in the action or proceeding. Any updated information shall be provided to both the tribunal that granted the motion and to the tribunal in which the action or proceeding may then be pending.



APPLICANT/AFFIANT

Subscribed and sworn to before me this 15th day of August, 20 19

Notary Public for the State of North CarolinaMy Commission Expires: 7/16/2024

MELISSA T HILL  
NOTARY PUBLIC  
WAKE COUNTY, NC  
My Commission Expires 7-16-2024

**LOCAL COUNSEL CONSENT**

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission Pro Hac Vice to the South Carolina Bar.

DATED this 15th day of August, 20 19
  
LOCAL COUNSEL OF RECORD
**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 15th day of August, 20 19



APPLICANT/AFFIANT

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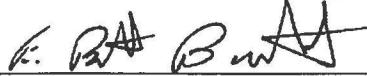


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